APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,266	10/31/2003	Tim E. Segura	2183-1-3	2043

			EXAMINER
996 7590 10/13/2006			KOEMPEL THOMAS, BEATRICE L

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2196	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/699,266	SEGURA, TIM E.
	Examiner	Art Unit
	Bea Koempel-Thomas	2196

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>31 October 2003</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-14</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-14</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>31 October 2003</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-14 are pending in this application and presented for examination.

Objections

Drawings

2.   The drawings are objected to because reference characters, preferably numbers are not included. Reference numbers should be included in order to support comprehension of that which is being disclosed to the public and to facilitate understanding and appreciation of specifically what the applicant has invented. No new matter should be entered. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3.   The disclosure is objected to because of the following informalities: reference characters, preferably numbers are not included. Reference numbers corresponding to parts of associated figures should be included in order to enhance readability of that which is being disclosed to the public and to facilitate understanding of what the applicant has invented. No new matter should be entered. Appropriate correction is required.

Claims

4.   Claims 1 (line 3, "(a)"), 8 (lines 3 and 4, "(a)" and "(b)" respectively), 9 (line 3, "(a)"), 14 (lines 3 and 4, "(a)" and "(b)" respectively), are objected to because of the following informalities: including reference characters enclosed within parentheses for which there are no corresponding elements recited in the detailed description or the drawings. Appropriate correction is required.

5.   Claim 3 is objected to because it lacks a period at the end of the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7.   Claims 1, 2, and 4-6 are rejected under 35 U.S.C. 102(b) as being anticipated by

Bernstein et al., U.S. Patent No. 5,761,071, (hereinafter "Bernstein").

8.   Regarding **claim 1**, Bernstein discloses a method for limiting access to resources (Figures

1 and 6, column 4, lines 33-36 "In desktop computer kiosk systems where the keyboard 22 and

the mouse 24 are accessible to users, security control software . . . is utilized to render the

browser software tamper-resistant for reliable self-service") of a personal computer (column 4,

lines 3-5 "a kiosk in accordance with the invention could also be provided as a desktop computer

or some other self-service system") with an operating system (column 3, line 63 "any . . .

operating system") while allowing access to information via a web browser program (column 5,

lines 7-10 "the same result may be achieved by coding a browser together with the GUI desired

for use in a kiosk as a single executable program"), comprising:

running on the personal computer a locking program (interpreted by the examiner as a

program controlling user access. Bernstein discloses a GUI (column 3, line 10) and "security

control software" (column 3, lines 17-18) that limit the users' access to URLs, data, and system

functions) that modifies functions of the web browser program (column 5, lines 10-11 "including

browser API calls into the NetKey ™ product") and functions of the operating system (Figure 6,

column 3, lines 17-21 "a security control software which is programmed to disable operating

system functions available to the user of the self-service computer to resist tampering with

operation of the self-service computer" and column 6, lines 50-52 "In block 124, the provider of

the kiosk system is given the option of limiting the operating system functions . . . available to

the user of the kiosk system") to disable functions that allow access to any data file (Figures 1

and 6, column 1 lines 10-14 "A kiosk is essentially a self-service system . . . for use in providing

information and/or performing transactions (e.g., dispensing money as done by automated teller machines)," Examiner asserts that the invention of the reference necessarily includes the ability to disable access to at least one data file, which is inherent in the operation of a kiosk as for example, an automated teller machine which only allows user access to data files associated with that user, and disables access to data files not associated with that user. The reference teaches the abilities of browsers over which the invention of the reference asserts control in column 1, lines 33-35 "Graphical browsers are application programs which [can] access and display many different types of electronic information, such as a text file, a graphics file, a sound file, a video file and a database item, to name a few," additionally the invention of the reference provides for limitations of the operating system functions at column 6, lines 50-55 "In block 124, the provider of the kiosk system is given the option of limiting the operating system functions . . . available to the user of the kiosk system. This is done by providing a predetermined set of operating system functions from which the kiosk system provider can select those system functions to be disabled." Clearly limiting the browser and operating system functions includes controlling access to any data file.) in a memory of the computer other than web browser access to a specified list of URL's (column 6, lines 40-43 "provider/operator is given the option of restricting the browser's access to URL or URLs specified by the provider/operator") until an authenticating input (column 6, lines 32-34 "a test is conducted to see if the correct password has been entered for accessing the security control software") is received by the computer.

9.   Regarding **claim 2**, Bernstein discloses that "[o]nce the settings for NetKey ™ have been set, then the kiosk system . . . is ready for use by the public (column 6, lines 63-65). Necessarily present in the browser kiosk system being ready for use by the public is launching the browser,

which is inherent in the kiosk being ready for unattended public use. By being ready for public use, the kiosk must have gone through an initial set up including the provider/operator launching a browser. Clearly, launching the web browser if it is not already launched is inherent in the browser kiosk system being ready for public use.

10. Regarding **claim 4**, Bernstein further discloses a password being the authenticating input (column 6, lines 32-34 "a test is conducted to see if the correct password has been entered for accessing the security control software").

11. Regarding **claim 5**, Bernstein further discloses the specified list containing only one URL (column 6, lines 40-42 "restricting the browser's access to URL or URLs specified by the provider/operator").

12. Regarding **claim 6**, Bernstein further discloses the specified URL being stored in a memory of the personal computer (column 6, lines 44-45 "these URLs are stored in memory").

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

14. Claims 3, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernstein as applied to claim 1, above.

15.   Regarding **claim 3**, Bernstein does not explicitly disclose delaying running of the locking

program, disabling functions of the operating system and the web browser program until the

expiration of a set amount of time.

However, Bernstein teaches an "attract loop" (column 7, line 25), that is "controlled by a

time-out function, such that when there is no user input for a specified period of time, the attract

loop appears on the screen" (column 7, lines 30-33). Bernstein further teaches "A suspend

daemon, which may be provided as an enhancement to NetKey ™, running in the background

[that] shuts down the GUI control software and/or the security control software and/or the

browser software when a SUSPEND file is copied to a specified directory on the kiosk system"

(column 7, lines 15-19). Bernstein also teaches an associated "restart daemon running in the

background [that] starts the modified software when a RESTART file is copied to a specified

directory on the kiosk system" (column 7, lines 22-24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention to combine the suspend, restart, and attract loop features taught in Bernstein in order to

protect the security of a shared system on which there has been no activity for a period of time.

16.   Regarding **claim 7**, Bernstein does not explicitly disclose locking the keyboard, actions

of pointer buttons other than a main button, and any other input method, so that the only input

methods available to a user are pointer movement and main pointer button clicks.

However, Bernstein teaches locking the keyboard and mouse in a storage compartment

after setting the system settings so that kiosk users cannot use them, (column 4, lines 29-33, *see

also* Figure 1). Bernstein also teaches a method for "desktop computer kiosk systems where the

keyboard . . . and the mouse . . . are accessible to users, [providing] security control software . . .

to render the browser software tamper-resistant for reliable self-service" (column 4, lines 33-37,

see also Figure 1). Bernstein further teaches in systems where the keyboard and/or mouse are

accessible to the user, such security control software "permit[ting] the kiosk system

provider/operator to limit the system functions available to the user" (column 6, lines 27-30), by

"limiting the operating system functions . . . available to the user" (column 6, lines 51-52).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention to use the security control software of Bernstein to limit the keyboard and mouse

functions available for user input to facilitate security of a shared system and tamper-resistance

for kiosks.

17.   Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bernstein further

in view of Robertson, U.S. Patent No. 6,609,106 B1, (hereinafter Robertson).

Regarding **claim 8**, Bernstein teaches a browser GUI " customized to provide a user-

friendly, tamper-resistant environment suitable for a kiosk system" (column 4, lines 56-58, *see*

also Figure 4), employing "an enhanced mouse driver . . . to detect whether the user of the kiosk

system . . . has touched one of the button images" (column 5, lines 39-42) along with clicking

buttons at the edge of the screen (Figure 4), but fails to explicitly disclose an authenticating input

with a button.

Robertson teaches authenticating input with a button (Figure 15, element 260 "Log On

link," Figure 20, and column 20, lines 38-40 "if the Log On link 260 is selected, then the

User/SP must first authenticate using the user interface dialog depicted in Fig. 20A").

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention to use the security control software and customizable GUI provided by Bernstein, with

the button taught by Robertson in order to enable security on a shared system via a mouse click

on a particularly placed button triggering authentication.

18.   Claims 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernstein

further in view of PCS Edventures! Joins Children's Technology Group in Protecting Kids on the

Internet-PCS to Help Market CTG's Garfield Island ™ -- A Unique Kid-Safe Web Browser and

Online Community, Business Wire, April 3, 2002 (hereinafter "Garfield Island").

19.   Regarding **claim 9**, Bernstein discloses a method for limiting access to resources (Figures

1 and 6, column 4, lines 33-36 "In desktop computer kiosk systems where the keyboard 22 and

the mouse 24 are accessible to users, security control software . . . is utilized to render the

browser software tamper-resistant for reliable self-service") of a personal computer (column 4,

lines 3-5 "a kiosk in accordance with the invention could also be provided as a desktop computer

or some other self-service system") with an operating system (column 3, line 63 "any . . .

operating system") while allowing access to information via a web browser program (column 5,

lines 7-10 "the same result may be achieved by coding a browser together with the GUI desired

for use in a kiosk as a single executable program"), comprising: running on the personal

computer a locking program (interpreted by the examiner as a program controlling user access.

Bernstein discloses a GUI (column 3, line 10) and "security control software" (column 3, lines

17-18) that limit the users' access to URLs, data, and system functions) that modifies functions

of the web browser program (column 5, lines 10-11 "including browser API calls into the

NetKey ™ product") and functions of the operating system (Figure 6, column 3, lines 17-21 "a

security control software which is programmed to disable operating system functions available to

the user of the self-service computer to resist tampering with operation of the self-service

computer" and column 6, lines 50-52 "In block 124, the provider of the kiosk system is given the

option of limiting the operating system functions . . . available to the user of the kiosk system")

to disable functions that allow access to any user accessible data (Figures 1 and 6, column 1 lines

10-14 "A kiosk is essentially a self-service system . . . for use in providing information and/or

performing transactions (e.g., dispensing money as done by automated teller machines),"

Examiner asserts that the invention of the reference necessarily includes the ability to disable

access to at least one set of user accessible data, which is inherent in the operation of a kiosk as

for example, an automated teller machine which only allows user access to data associated with

that user, and disables access to data not associated with that user. The reference teaches the

abilities of browsers over which the invention of the reference asserts control in column 1, lines

33-35 "Graphical browsers are application programs which [can] access and display many

different types of electronic information, such as a text file, a graphics file, a sound file, a video

file and a database item, to name a few," additionally the invention of the reference provides for

limitations of the operating system functions at column 6, lines 50-55 "In block 124, the provider

of the kiosk system is given the option of limiting the operating system functions . . . available to

the user of the kiosk system. This is done by providing a predetermined set of operating system

functions from which the kiosk system provider can select those system functions to be

disabled") in a memory of the computer other than web browser access to a web page specified

by a first URL (column 6, lines 40-43 "provider/operator is given the option of restricting the

browser's access to URL or URLs specified by the provider/operator") until an authenticating

input (column 6, lines 32-34 "a test is conducted to see if the correct password has been entered

for accessing the security control software") is received by the computer.

Bernstein fails to disclose permitting access to a web page beyond specified URLs (i.e.,

any web page that can be reached by following active links from one page to another). Garfield

Island teaches a browser allowing surfing of pre-approved websites (paragraph 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Bernstein by the surfing feature taught by Garfield Island in order to provide

additional information as indicated from the sponsor of the approved URL.

20.   Regarding **claim 10**, Bernstein discloses that "[o]nce the settings for NetKey ™ have

been set, then the kiosk system . . . is ready for use by the public (column 6, lines 63-65).

Necessarily present in the browser kiosk system being ready for use by the public is launching

the browser, which is inherent in the kiosk being ready for unattended public use. By being

ready for public use, the kiosk must have gone through an initial set up including the

provider/operator launching the browser. Clearly, launching the web browser if it is not already

launched is inherent in the browser kiosk system being ready for public use.

21.   Regarding **claim 11**, Bernstein does not explicitly disclose delaying running of the

locking program, disabling functions of the operating system and the web browser program until

the expiration of a set amount of time.

However, Bernstein teaches an "attract loop" (column 7, line 25), that is "controlled by a

time-out function, such that when there is no user input for a specified period of time, the attract

loop appears on the screen" (column 7, lines 30-33). Bernstein further teaches "A suspend

daemon, which may be provided as an enhancement to NetKey ™, running in the background

[that] shuts down the GUI control software and/or the security control software and/or the

browser software when a SUSPEND file is copied to a specified directory on the kiosk system"

(column 7, lines 15-19). Bernstein also teaches an associated "restart daemon running in the

background [that] starts the modified software when a RESTART file is copied to a specified

directory on the kiosk system" (column 7, lines 22-24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention to combine the suspend, restart, and attract loop features taught in Bernstein in order to

facilitate security of a shared system that on which there is no activity for a period of time.

22.   Regarding **claim 12**, Bernstein further discloses a password being the authenticating

input (column 6, lines 32-34 "a test is conducted to see if the correct password has been entered

for accessing the security control software").

23.   Regarding **claim 13**, Bernstein does not explicitly disclose locking the keyboard, actions

of pointer buttons other than a main button, and any other input method, so that the only input

methods available to a user are pointer movement and main pointer button clicks.

However, Bernstein teaches locking the keyboard and mouse in a storage compartment

after setting the system settings so that kiosk users cannot use them, (column 4, lines 29-33, *see

also* Figure 1). Bernstein also teaches a method for "desktop computer kiosk systems where the

keyboard . . . and the mouse . . . are accessible to users, [providing] security control software . . .

to render the browser software tamper-resistant for reliable self-service" (column 4, lines 33-37,

see also Figure 1). Bernstein further teaches in systems where the keyboard and/or mouse are

accessible to the user, such security control software "permit[ting] the kiosk system

provider/operator to limit the system functions available to the user" (column 6, lines 27-30), by

"limiting the operating system functions . . . available to the user" (column 6, lines 51-52).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention to use the security control software of Bernstein to limit the keyboard and mouse

functions available for user input to facilitate security of a shared system and tamper-resistance.

24.   Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bernstein and

Garfield Island for the same reasons as claim 9, above, and further in view of Robertson.

Regarding **claim 14**, Bernstein teaches a browser GUI " customized to provide a user-

friendly, tamper-resistant environment suitable for the kiosk system" (column 4, lines 56-58, *see*

also Figure 4), employing "an enhanced mouse driver . . . to detect whether the user of the kiosk

system . . . has touched one of the button images" (column 5, lines 39-42) along with clicking

buttons at the edge of the screen (Figure 4), but fails to explicitly disclose an authenticating input

with a button.

Robertson teaches authenticating input with a button (Figure 15, element 260 "Log On

link," Figure 20, and column 20, lines 38-40 "if the Log On link 260 is selected, then the

User/SP must first authenticate using the user interface dialog depicted in Fig. 20A").

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention to use the security control software and customizable GUI provided by Bernstein, with

the button taught by Robertson in order to enable security on a shared system via a mouse click

on a particularly placed button triggering authentication.

Conclusion

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is:

- Batalden et al, U.S. Patent Application Publication No. 2003/0112271 A1, referring to a method of controlling a browser session.

- Daniell et al, U.S. Patent No. 7,062,649 B2, referring to a system and method for categorizing security profile rules within a computer system.

- Hearn et al, U.S. Patent Application Publication No. 2005/0091522 A1 referring to a security system and method for computers.

- Kuczora, United Kingdom Patent Application Publication No. 2 350 211 A, referring to an internet browser software lock.

- McMillian, U.S. Patent No. 5,826,267, referring to a web information kiosk.

- <u>Netkey Releases New Version of Flagship Internet Kiosk Software</u>, Business Wire, April 23, 2001, referring to operating system and keyboard lock-down, and URL and surf control.

Please direct any inquiry concerning this communication or earlier communications from the examiner to Beatrice Koempel-Thomas whose telephone number is 571-270-1252. The examiner can normally be reached on Monday - Thursday & alternate Fridays; 0730 - 1700.

If attempts to reach the examiner by telephone are unsuccessful, please contact the examiner's supervisor, Nabil El-Hady, on 571-272-3963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

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may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

bkt

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